

**FLATHEAD COUNTY PLANNING BOARD
MINUTES OF THE MEETING
APRIL 16, 2008**

CALL TO ORDER

A meeting of the Flathead County Planning Board was called to order at approximately 6:00 p.m. Board members present were Marie Hickey-AuClaire, Marc Pitman, Mike Mower, Gordon Cross, Gene Dziza, and Jim Heim. Rita Hall, Randy Toavs, and Frank DeKort were absent. BJ Grieve and Jeff Harris represented the Flathead County Planning & Zoning Office.

There were approximately 40 people in the audience.

**APPROVAL OF
MINUTES**

Pitman made a motion seconded by Heim to approve the March 19, 2008 meeting minutes as corrected.

The motion was carried by quorum.

**PUBLIC
COMMENT
(not related to
agenda items)**

Dee Brown, Hungry Horse, asked if the Board could discuss impact fees and the fees allowed through the County and City. She wanted to know where the process would come into play regarding County subdivisions.

Cross said legislature has allowed the County to create impact fees. The county created an impact fee committee. They hired outside consultants to help with the impact fees. There is nothing that has been proposed that is finalized yet.

Grieve said the current status is that a consultant has been hired to do an impact fee report.

**HUNGRY HORSE
VILLAGES
FPP 08-03**

A request by Hungry Horse Development Partnership for Preliminary Plat approval of Hungry Horse Villages, Phase I-IV, a 75 lot subdivision (68 single-family or townhouse lots, 6 lots proposed to have 64 duplex condominium units and 1 lot being created for a package wastewater treatment facility) on 32.64 acres. The total number of dwelling units in the proposed subdivision is 132, consisting of 32 single family residential units on individual lots, 31 dwelling units as attached townhouse units (in duplex, triplex and quadplex structural arrangements), and the remaining 64 dwelling units would be condominium units in various arrangements of duplex structures on 6 lots owned in common by the condominium owners. Lots in the subdivision are proposed to have public water and sewer systems. The property is located southeast of Hungry Horse in the west side of Colorado Boulevard and U.S. Highway 2.

STAFF REPORT

BJ Grieve reviewed Staff Report FPP 08-03 for the Board.

**BOARD
QUESTIONS**

Cross asked about the findings-of-fact that states the impacts will be mitigated by a different agency.

Grieve said the effect on water and treatment systems has been reviewed by Staff. Tests show the existing water quality is adequate.

Pitman said the applicant will have to obtain a groundwater discharge permit through DEQ during the subdivision review process.

Heim asked if Staff could elaborate on finding-of-fact#3.

Grieve said the applicant estimated 215 connections will be required at \$60 per connection. The applicant is proposing a contract with Hungry Horse Water and Sewer for the connections before final plat is submitted. Grieve said there is a "will serve" letter from the sewer district.

**APPLICANT
PRESENTATION**

Stephen Byrd, owner/developer representative, introduced the technical assistance: CTA, HDR, DEA. He thanked the Board and Staff for their hard work.

Wayne Freeman (director of planning for CTA), 2 Main Street, introduced Brent Morroe and Neil Hosking. He said the project has been in the works for about a year and half. They have been trying to understand how the project can fit into the community. He gave a slideshow presentation of Hungry Horse Villages. He said it is a walkable community with sustainability; a viable and a vibrant livable community while retaining the small town feel. There will be no curb and gutters, just trails, networks, and integrated open space. There will be four phases with mixed-use development. He said there have been three community meetings and a lot of County Planning involvement.

Kevin Pakonsao, DEA, traffic engineer, said the primary access is Colorado Boulevard to Highway 2. The Montana Department of Transportation (MDT) defined the scope of the traffic study and the followed typical MDT guidelines as well as the institute of traffic engineer guidelines. There are estimating to be about 900 daily trips. It was determined that additional traffic wouldn't create a detrimental impact. The road would still function at acceptable levels of service. MDT approved the traffic impact study. MDT recommended internal roadways and Colorado Boulevard to be built to County standards.

Matt Gough, HDR Engineering, gave slideshow presentation of the proposed Hungry Horse Water Reclamation Plant. He said the effluent would be safe for the reuse or groundwater recharge. They need ½-acre for the treatment system. The effluent won't have much of a smell. He

said the air will be taken through a carbon tour and any odor remaining will be removed. The facility will be given to the Hungry Horse Water and Sewer district and they will operate the facility. It will save them more than a million dollars.

Heim asked how the 250 units would be self sustaining.

Gough said the face of sewer rates has changed a lot. He said most agencies are considering \$60/month to be adequate therefore 250 units at a \$60 rate would be self sustaining.

Heim asked if the median household income was looked at for the community.

Gough said there is no guarantee the existing community will hook into the system.

Cross asked if the capacity would be just for the first 4 phases.

Gough said the facility will be built in phases. He said DEQ is very conservative about the flow they will be using. He said the treatment plant will be overbuilt at first, but will even out. He said the school doesn't add a lot of capacity.

Heim asked if there are any treatment plants like this in service in Montana.

Gough said no membrane plants are in Montana yet, but the Board will be seeing them soon.

Cross asked about the discrepancy for the required fire flow.

Neil Hoskins, CTA, discussed the water flow. He said the capacity is there, but will be evaluated through MDEQ.

**AGENCY
COMMENT**

Bill Kavanaugh, HHWSD, supported the subdivision. He said with the subdivision comes the wastewater treatment plant. It puts drinking water to the Valley. The septic systems are the most likely thing to contaminate the water and Hungry Horse needs a new treatment center.

**PUBLIC
COMMENT**

James Downen, 128 1st Ave. South, see attached letter.

Vivian McName, 215 1st Ave South, didn't agree that the CALURS didn't plan doesn't apply. There has been precedence set in the lower canyon region with a subdivision that got denied for density. She read page one of the CALURS plan. She discussed the jurisdiction of the CALURS plan. The review process shall govern the area that regulates the Canyon Plan. She read the description of the area covered. She

discussed the Canyon plan and CALURS. She said the bridge is already unsafe and there doesn't need to be more traffic. The road through Badrock Canyon is hazardous.

Brent Smitt, 9 6th Street West, grew up in Conrad. He has seen a lot of areas he enjoyed get lost through development. He realizes the land will be developed sooner or later. When you have a community the people don't want to take away land use rights. When a few people own the land they close it off to the community that used to enjoy it. The price to replace a failed septic system has gone up a lot. The septic system the subdivision would bring would be nice.

Ed Hines, 305 West 3rd Street, said the bridge and roadway are very dangerous. He said development is going to happen, but something has to be done about the road and bridge.

Stephanie Doll, 5002 Hwy 2, showed a copy of the old subdivision plat and new plat. She said density is her problem. She said what about setbacks if your lot is only 35 feet wide? What about fires? She said it is too much in a small space. The lot sizes are smaller with the new proposal than the older proposal. She liked the pictures of the homes that were showed in the presentation.

Sue Ellen, 144 2nd Street West, asked the Board if they have driven in Hungry Horse in the summertime. It's nerve-racking trying to get on the highway. She strongly disagreed with MDT saying the traffic study was adequate. The impact on the two intersections would be major. She discussed the weeds in Hungry Horse. A weed control plan should be in place for 3 years before any disturbance is put in the area. She knows that growth will happen and development is inevitable.

Dee Brown, lives in Coram, so she won't have to worry about the sewer bill. She asked about the groundwater recharge system and where the ½-acre recharge area would be. She said this is only part 1 and the density is too great. The applicants could come back with something less dense. City and County government constantly lobby citizens to pass bills for impact fees. She wished the impact fees would have come into effect sooner. The reference to Colorado Boulevard as a major ingress and egress is only part of the picture. The roads can be treacherous. Impact fees could be used to resurface the roads in the future.

Mike Wade, 999 Lake Blaine Rd, grew up on the North side of this project. He enjoyed having a neighborhood with kids to play with. If done correctly the subdivision could be a very good project for the area.

Dewey Bacon, 40 1st Ave East, was concerned about the roads. He said traffic has to go right by the elementary school. He said there is no such thing as a 20 dollar water bill.

Mike Robinson, 80820 Hwy 2 East, owns Mike's Conoco. He is concerned about water issues and the cost of maintaining water to DEQ standards. To build a water treatment plant at the quality the applicant is talking about is a tremendous savings to each individual for future years. He said it is a good asset to the community.

Obrien Byrd, 185 Martin Rd, has lived in the Canyon for 31 years. He is concerned with the development. His kids will be going to the Canyon Elementary School in the next couple of years. He feels the developers did an excellent job addressing the issue. The tourism is a huge part of the Canyon in the summer. Everyone travels on Highway 2 into Glacier Park. He said the roads are a problem with or without the development. He supported the development as a resident.

Phyllis Gregory, 10 5th Ave, said the biggest problem is the density. He thinks everybody wishes the forest service had not sold the property, but it was and somebody is going to develop it. At least the developers are working with the community. The community will eventually have to come to the realization that something is going to get put onto the land. Something will go there and this developer has taken a lot of time and effort to have community meetings.

Darlene Wagoner, knows progress is coming. She doesn't like the density. She would like to see the final plat before it is signed.

**STAFF
REBUTTAL**

Grieve said CALURS zoning is not applicable to the subject property. The CALURS was adopted and the lower canyon opted out. No County document shows CALURS existing in Hungry Horse. The Canyon Plan covers everything from the House of Mystery to Marias Pass. A 4-plex is counted as 4 dwelling units. There would be 132 dwelling units in the project. The visual preference survey is marginally applicable. The county has no way to enforce the images seen by the public.

Dziza asked what the density west of Hungry Horse is.

Grieve said it depends cause some of the structures are built on multiple lots. He said the density is approximately 5 to 7 units per acre.

**APPLICANT
REBUTTAL**

Hosking said the Staff Report addresses the fire flow. MDEQ has done delineation for community water systems. No one has to hook into the new system unless there old system fails. A ½-acre recharge facility is all that is needed for the subdivision.

Gough said the ½-acre is for the development and because the submittal to DEQ had to take in a bigger picture the full build out. A total of about 0.8 acres total is needed. The parcel on the north end includes all land necessary for the system.

Hosking said everything is expressed as individual units. There are 15 to 18 foot setbacks listed in the CC&R's. Glen Gray submitted a letter to the County indicating that most fireplaces are low emission. He said roads in the subdivision will be maintained by the HOA.

Wayne Freeman discussed the HOA. The design guidelines and criteria in the HOA will be the same as the developer. The people will police their own residents. Residents will want to see homes that match what they were told. The number of units is 132. If there is a future development it will come before the Planning Board at that time.

Heim asked if for some reason you only added one house per month for the first year how the treatment center would work.

Gough said part of the reason they want to build the treatment plant in phases is because of growth. At first there will be a very small amount of water going into the treatment system. It would basically arrogate it so much there would be little biological element left. There might have to be some food supplement to keep the bugs alive.

Pitman asked about extending the system for the use of the rest of the community. The water & sewer district would have to stand any horse manes to the rest of the community.

Gough said the developer doesn't have jurisdiction to provide service to the school.

**BOARD
DISCUSSION**

None.

**MOTION TO
ADOPT F.O.F.**

Dziza made a motion seconded by Hickey-AuClaire to adopt Staff Report FPP 08-03 as findings-of-fact.

**BOARD
DISCUSSION**

None.

**ROLL CALL TO
ADOPT F.O.F.**

On a roll call vote the motion passed unanimously.

**MOTION TO
RECOMMEND
APPROVAL**

Hickey-AuClaire made a motion seconded by Heim to recommend approval of FPP 08-03 to the Commissioners.

**BOARD
DISCUSSION**

Cross asked if the number of units was maxed at 132 for the project considered tonight.

Grieve said that is correct. If the applicant wanted to change anything the Planning Board would have to look at the project again.

Grieve went over the density in the vicinity of Hungry Horse.

The Board discussed two parcels with one house on them not being able to be sold separately.

Cross said there are some people concerned about density. He asked what the residents could do to get zoning.

Grieve said there is a group of folks working on getting zoning for the Hungry Horse area. There are a variety of issues pertaining to it. The residents could zone the area. CALURS is an implementation of the Canyon Plan so that would be the easiest way to go. Some people don't want zoning.

Harris said Staff hasn't been receptive to creating unique zoning districts. Staff would prefer to see more standardized zoning across the County. The Canyon Plan has been implemented through CALURS. If standard zoning was applied there would be multiple zoning classifications.

Dziza said 4-units per acre is not that dense. He doesn't see it negatively effecting property values.

Mower said he had mixed emotions. He said the project will change the nature of Hungry Horse, but change is inevitable. He has a personal preference that this development should be adjacent to cities that have the needed facilities. He doesn't like the idea of changing the nature of Hungry Horse but you can't stop progress.

Pitman agreed with Mower. He grew up in the Canyon Area and this development doesn't fit the rural aspect of the community, but the community has been bordering on urban for quite some time. He hasn't heard anything that would make him vote against it.

Heim wasn't here to hear the first proposal. He said 360 living units is a lot better than 1,000. There is no zoning and no reason to deny it.

Pitman said the one thing that bothered him is the access onto Highway 2.

Cross said the traffic survey from the last proposal recommended adding more lanes.

**ROLL CALL TO
APPROVE**

On a roll call vote the motion passed unanimously.

OLD BUSINESS

Harris said last week he handed out an analysis of consequences removing the text amendment. The Board can't delete the wording entirely so there will need to be new wording. He suggested alternative language.

The Board discussed the text amendments.

The retreat will be on May 7th at Jagz starting at 5 pm.

The Board discussed the subdivision regulations.

NEW BUSINESS

Harris thanked the Board for handling the meeting so well tonight.

The Board discussed the brown bag luncheon with the Commissioners.

Cross asked Staff to look into getting a better sound system.

ADJOURNMENT

The meeting was adjourned at approximately 9:35 p.m. on a motion by Hickey-AuClaire seconded by Mower. The next meeting will be held at 6:00 p.m. on April 23, 2008.

Gordon Cross, President

Kayla Kile, Recording Secretary

APPROVED AS SUBMITTED/CORRECTED: 6/4/08